

Know the Facts
Fundraiser

A fundraiser is a person or organization that contracts with a charity to raise money. Sometimes the fundraiser will take a large percentage of contributions. Many fundraisers are actually for-profit companies. Fundraisers, like charities, must be registered with the Secretary of State.

Registration

The Secretary of State maintains a registry of all charitable organizations, fundraisers and charitable trusts. It is unlawful for most organizations to solicit contributions without being registered. The registry provides valuable information, such as: total dollar value of support received by the organization; total dollar amount applied to charitable purposes, fundraising costs and other expenses; and the total revenue of the preceding fiscal year.

You may contact the Secretary of State with questions concerning charitable organizations at (800) 332-4483. However, the Secretary of State cannot endorse any charitable organizations. Registration is not a guarantee against deception.

Disputes

If you are involved in a dispute with a charitable organization or commercial fundraiser, you may wish to pursue one of the following options:

- The Consumer Resource Center, Office of the Attorney General, offers mediation services;
Ask the organization to resolve the dispute through arbitration or mediation (for example, the Better Business Bureau or a dispute resolution center);
Pursue the case through Small Claims Court (if your claim is less than \$4,000); or
Consult an attorney for further options.

The Law Says

A violation of the Charitable Solicitations Act is also a violation of the Consumer Protection Act. This means the consumer can sometimes recover up to three times the amount of damages (up to \$10,000) in a successful court action.

Under the law (RCW 19.09) an individual soliciting a contribution must:

- clearly state her or his name;
clearly state the name of the charitable organization and its principal place of business;
clearly state the name of the commercial fundraiser, if any, that employs the solicitor;
disclose the true nature of the organization's relationship to the government, if it is associated with or has a name similar to a government organization; and, upon request, state the published number of the Secretary of State (800) 332-4483.
An individual soliciting a contribution must not:
make a false, deceptive or misleading representation;
state or imply that the contribution is tax deductible unless the charity has filed with the Secretary of State its letter from the Internal Revenue Service granting tax deductible status;
use the name "police," "sheriff", "fire fighter" or similar name unless authorized;
harass, intimidate or torment;
claim the tickets to an event will be donated unless the fundraiser has obtained a letter from those persons stating they will accept the tickets and the number they will accept; or
call before 8:00 a.m. or after 9:00 p.m.

For Further Information

The Attorney General's Office provides information and informal mediation to consumers and businesses. If you have a question or want assistance resolving a problem, please contact one of the Consumer Resource Centers listed below.

The Attorney General is prohibited from acting as a private attorney on a complaint. If your complaint demands immediate legal action, you should consider private legal action in Small Claims Court (no attorney necessary) if your claim is under \$4,000. If your complaint involves more than \$4,000, you should seek a private attorney. You might also consider arbitration.

CONSUMER RESOURCE CENTERS
OFFICE OF THE ATTORNEY GENERAL

Web site.....http://www.atg.wa.gov/consumer

Statewide.....(800) 551-4636
(800) 833-6384 WA Relay Service

Bellingham.....(360) 738-6185
Kennewick.....(509) 734-7140
Seattle.....(206) 464-6684
Spokane.....(509) 456-3123
Tacoma.....(253) 593-2904
Vancouver.....(360) 759-2150
Lemon Law:.....(800) 541-8898
(206) 587-4240 Seattle

Consumerline has taped information on a number of consumer related issues. In Washington call (800) 692-5082.

The Attorney General's Office has a policy of providing equal access to its services. If you need to receive the information in this brochure in an alternate format, please call (206) 464-6684.

The hearing impaired may call 1-800-833-6384 Statewide.



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Charities

CHECK



BEFORE
GIVING

Consumer Resource Center
Office of the Attorney General

Charities- Check Before Giving

Protect Your Contributions

Most of us are contacted regularly by charities. They come to our doors, call us on the phone or write us in the mail. Unfortunately, not all fundraisers are reputable. Some may use “hardball” tactics. Some may misrepresent themselves or their cause. A few may simply be out to scam you. To protect yourself and to make sure the money you choose to donate goes to a reputable cause, read this brochure and follow these helpful guidelines.

Listen:

When contacted by an organization asking for contributions, listen carefully to what they tell you. Make sure you learn the name of the person to whom you are speaking, as well as the name and address of the organization; whether the organization is raising money for itself or if it is a fundraiser hired to solicit contributions; and whether the donation is tax deductible.

Make sure the organization is not using a sound-alike name. A good tip is that if you are not sure you know the name, presume it might not be the organization it sounds like.

Ask:

Before agreeing to donate any money, make sure you ask where the money goes. Find out if the person to whom you are speaking

takes a percentage, and if they do, how large a percentage. Ask what programs the organization has supported recently and where they are located. If the solicitor comes door-to-door, ask for identification and written information about the charity. If the solicitor calls on the phone, ask for a brochure to be sent to your home.

Legitimate charities should welcome your questions. They want people to know what they are doing for the community.

Learn:

Take time to find out about the charity. You don’t have to donate right away, and pressure to do so should make you suspicious. Read the brochures provided by the organization at your own pace.

Call:

Call the beneficiaries of the charitable funds - local schools, shelters, workshops, etc. Find out whether they are aware of the solicitation and have authorized the use of their names.

Call the *Secretary of State* (800) 332-4483 to find out if the charity and its fundraiser are registered and for further information.

Finally:

When you have decided to donate, write a check and make the check payable to the

charity, not the fundraiser. Do not send or give cash and do not give a credit card number to anyone over the phone.

Remember to save all your records such as cancelled checks or billing statements. They will be essential if you ever have to file a complaint, and will come in handy when you file your income tax return.

WARNINGS

The old adage “if it sounds too good to be true, it probably is,” applies to dealing with charities as well. Here are some warnings:

- **Don’t be fooled by a name.** Some phone charities, including for-profit companies, have sympathetic sounding names, or names that closely resemble those of respected, legitimate charities.
- **Don’t fall for a “sob story.”** The hard luck tale is a favorite ploy of the phony operator. A legitimate charity will tell you how it is using your money to make a difference for the better.
- **Don’t give in to pressure.** Tell the solicitor you want to take time to make your decision.
- **Don’t pay by cash.** Pay by check and make it out to the charity (using its full name, not initials) not to the fundraiser. Never give your credit card number to a fundraiser over the phone. If the fundraiser comes to

your door, always ask for identification. Alternatively, you can mail your check directly to the charity.

- If you receive unordered items in the mail, **don’t feel obligated to make a donation.** It’s against the law to demand payment for unordered merchandise.
- Selling tickets for concerts and sporting events can be a good fundraising tool. **Just remember most of the money may go to the fundraiser and to pay expenses.** As little as 10 percent may go to the charity.
- **Be wary of charities that offer to send a courier** over immediately to collect your money.
- Be wary of sweepstakes and contests posing as charities. **You do not have to donate for a chance to win.**

Get Involved!

There really is no better way to be certain that the charitable organization asking for your support is deserving than to become involved. Speak to the organizers. Participate in events. Volunteer. Contribute directly to these charities and you can be sure your money will be doing the most good.

REMEMBER: CHECK BEFORE GIVING!